RESOLUTION NO. 2016-

RESOLUTION AUTHORIZING ISSUANCE OF SEASONAL RETAIL CONSUMPTION LICENSE NO. 1306-34-001-004 TO FUSAL, LLC T/A LA DOLCE VITA FOR THE PERIOD ENDING JUNE 30, 2017

WHEREAS, an application was made by Fusal LLC T/A La Dolce Vita for a Seasonal Retail Consumption License No. 1306-34-001-004; and

WHEREAS, said application is accompanied by an Affidavit of Publication and reports from Chief of Police and reports from Borough Inspection Officials, Fire Official and Health Officer; and

WHEREAS, said licensed premises at 400 Ocean Avenue is licensed including the front outside dining area facing Ocean Avenue.

WHEREAS, said the licensing renewal term is July 1, 2016 to June 30, 2017, however said license is only permitted to be operational from July 1, 2016 to November 14, 2016 and May 1, 2017 to June 30, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that a Seasonal Retail Consumption License be and is granted subject to the following special conditions as agreed upon by the Licensee:

1. Service and sale of alcoholic beverages is to be permitted only in the licensed areas as described above.

2. No alcoholic beverages shall be sold, served, delivered to, or consumed in the license premises during such time as the number of persons, exclusive of employees, occupying the licensed premise exceeds the occupancy limits established herein.

3. That the Licensee shall provide the Chief of the Belmar Police Department, in writing, with the names and addresses of all employees.

4. The Licensee will operate the premises as a restaurant, with the inside bar to be used essentially as a service bar. No person may be served at the bar unless they are waiting to be seated at a table. The Licensee shall maintain a waiting list to ensure this condition is met.

5. Occupancy of the licensed areas as described above is limited as follows: occupancy of the interior dining room is limited to 61 seated patrons, the bar in the interior dining room is limited to 8 stools, and at the bar and in the immediate vicinity of the bar and an additional 16 people may be standing, the outside enclosed dining area is limited to 28 seated patrons, the outside dining area around the exterior of the building is limited to 44 seated patrons and further, said occupancies are subject to compliance to applicable ordinances and laws relating to building, zoning, and liquor licenses within the Borough of Belmar.

6. The outdoor dining area shall be closed by 10:00 p.m. on weeknights, being Sunday through Thursday; and, by 11:00 p.m. on weekends, being Friday and Saturday, and on Sunday night if Monday is a holiday, such as Memorial Day weekend and Labor Day weekend. Any patron served alcohol in the outdoor dining area must be seated and dining. No bar of any type is permitted in the outdoor dining area. The outdoor dining area may not be used as a smoking area at anytime.

7. All sales of alcoholic beverages in the restaurant and at the service bar shall cease at 11:00 p.m. on weeknights, being Sunday through Thursday; and, by Midnight

on weekends, being Friday and Saturday, and on Sunday night if Monday is a holiday, such as Memorial Day weekend and Labor Day weekend; and, no announcement shall be made that it is last call or using words to that effect.

8. It is a requirement that all wait staff, bartenders and personnel involved with the sale or service of alcohol undergo TAMS training within 30 days of being hired; records of this requirement are to be maintained by the licensee.

9. The licensee shall ensure that all employees who are involved with the sale and/or service of alcohol or who are involved with checking identification and/or handling of intoxicated and/or unruly patrons or who are involved in security; i.e. floor men, waitresses and bartenders have undergone Techniques in Alcohol Management (TAM) provided through the NJ Beverage Licenses Association. Certification of the employee's attendance will be provided to the Belmar Police Department. This training is to be completed within 30 days of the date of employment at the establishment.

BE IT FURTHER RESOLVED that the Borough Clerk be and is authorized to sign and deliver license certificate to said applicant.

offered the above resolution and moved its adoption.

and adopted by the following vote:

Councilmembers:	AYES	NAYS	ABSTAIN	ABSENT
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				

Adopted: